BEFORE THE GEORGIA GOVERNMENT TRANSPARENCY AND CAMPAIGN FINANCE COMMISSION STATE OF GEORGIA

IN THE MATTER OF

CASE NO.

*

MARCUS RAY

22-0084-C

CONSENT ORDER

This matter comes before the Georgia Government Transparency and Campaign Finance Commission ("Commission") pursuant to a Complaint filed by the Commission on May 26, 2022. Now, prior to an administrative hearing on this matter, Marcus Ray ("Respondent") and the Commission agree to resolve the above-styled matter by a Consent Order under the terms and conditions described herein.

Findings of Fact

Respondent sought election to the Georgia House of Representatives for the District 116 seat in the 2022 general election. He filed his Declaration of Intention to Accept Campaign Contributions for this position on December 10, 2021. Throughout his candidacy, Respondent was subject to the rules and regulations of the Commission.

The Campaign Finance Act requires candidates for public office and public officials to report all of their campaign contributions and expenditures by filing periodic Campaign Contribution Disclosure Reports ("CCDRs") with the Commission. O.C.G.A. § 21-5-34 In this matter, Respondent failed to timely file his January 31, 2022 and April 30, 2022 CCDRs within the required time-period.

The Act further requires candidates for the General Assembly to file a Personal Financial Disclosure Statement ("PFDS") covering the preceding calendar year with 15 days of the date that they qualified as a candidate. In this matter, Respondent failed to file his PFDS within the required time-period.

Respondent has been cooperative and transparent during the complaint process. He is currently in compliance with the Campaign Finance Act.

Conclusions of Law

- 1. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to timely file his January 31, 2022 CCDR.
- 2. Respondent violated O.C.G.A. § 21-5-34(c)(2)(A) by failing to timely file his April 30, 2022 CCDR.
- 3. Respondent violated O.C.G.A. § 21-5-50(a)(1) by failing to timely file his calendar year 2021 PFDS.

Agreement

In resolving this matter, Respondent hereby agrees to the following:

Respondent agrees to pay to the Commission late fees in the amount of \$375.00 for violating the Georgia Government Transparency and Campaign Finance Act. The total amount of \$375.00 shall be paid to the Georgia Government Transparency and Campaign Finance Commission within thirty (30) days of this order being finalized.

Respondent represents that the foregoing findings of facts are true, agrees with the conclusions of law, and further agrees to abide by all terms of this Order. By signing this Order, Respondent, waives any right to appeal pursuant to the procedures outlined in the Administrative Procedures Act (APA), O.C.G.A. § 50-13-1 et. seq.

Failure to comply with the terms herein, absent a showing of good faith, will constitute a willful and knowing violation of said terms by Respondent. Respondent's failure to comply with said terms shall constitute a breach of this agreement and thereby authorize the Commission to seek enforcement action against the Respondent in Superior Court. The parties agree that all costs and attorneys' fees incurred by the Commission in any enforcement action shall be assessed against Respondent pursuant to O.C.G.A. § 21-5-6(b)(14)(C).

The Commission adopts the foregoing findings of fact and conclusions of law and orders the implementation of the terms of this Consent Order.

Order Prepared and Presented by:

Timothy Baywal Staff Attorney

Georgia State Bar No.: 460743

Marcus Ray
Respondent

SO ORDERED this

day of

March

2023.

Georgia Government Transparency and Campaign Finance Commission

DV.

James D. Kreyenbuhl, Chair